

On motion of Senator Mauzy and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Leedom and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

SIXTY-FOURTH DAY

(Monday, May 9, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Absent-excused: Parker.

A quorum was announced present.

The Reverend Dubyear Harris, Metropolitan African Methodist Episcopal Church, Austin, offered the invocation as follows:

O God, Who has prepared for those who love Thee such good things as pass man's understanding, pour such love towards Thee into the hearts of these, our Senators, of the commonwealth of ours and guide the presiding officer this day and keep them in Thy charge and keeping. In His name we pray. Amen.

On motion of Senator Mauzy and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 5, 1983, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Parker was granted leave of absence for today on account of important business on motion of Senator Glasgow.

MESSAGE FROM THE HOUSE

House Chamber
May 9, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 32, Granting Sharon Kinzel permission to sue the State.

S.C.R. 33, Granting Clyde Jenkins permission to sue the State.

S.C.R. 79, In memory of Arthur William Esser.

H.C.R. 113, Creating a special committee to review a study of the State occupational education program.

H.C.R. 121, Granting Cram Construction, Inc., permission to sue the State of Texas and the Parks and Wildlife Department.

H.C.R. 134, Granting South Texas Property Associates permission to sue the State of Texas and the Department of Highways and Public Transportation.

H.C.R. 139, Recognizing Tejano Conjunto Music Week in Texas.

H.C.R. 146, Granting Marathon Oil Company permission to sue the State of Texas and the General Land Office.

H.C.R. 149, Granting Mabel Ann Brownlow permission to sue the State of Texas and The University of Texas System.

H.C.R. 154, Naming the building that is headquarters of the Texas Cosmetology Commission as the "Frank Joseph Cosmetology Building".

H.C.R. 156, Declaring the month of August to be Texas Child Support Enforcement Month.

H.C.R. 178, Commending Gaby Canizales.

H.C.R. 186, Commending Benno C. Heinmeyer.

H.C.R. 187, Commending Mr. and Mrs. Kermit Altwein.

H.C.R. 188, Congratulating William Ray Samuels, Jr., on his retirement.

H.C.R. 193, Commending Mrs. Rosalynn Carter.

H.C.R. 196, In memory of Samuel A. Yates.

S.B. 221, Relating to the fee charged for an ad valorem tax certificate.

S.B. 246, Relating to the establishment, personnel, compensation, powers and duties, and financing of a juvenile board for Milam, Robertson, and Falls counties; providing for cooperation by political subdivisions and associations.

S.B. 392, Relating to an exemption of certain property from charges for fees for services and support and maintenance of residents of residential care facilities operated by the Texas Department of Mental Health and Mental Retardation.

S.B. 393, Relating to representation of the state in filing claims in court for support, maintenance, and treatment of patients in certain state hospitals or residential care facilities and procedure therefor.

S.B. 394, Relating to the establishment and allocation of charges for support of patients of state mental hospitals and residential care facilities operated by the Department of MHMR and the utilization of court-ordered child support payments.

S.B. 420, Relating to state regulation of corporations; requiring filing of certain notices and statements with the Secretary of State and placing certain duties on the Secretary of State; increasing certain fees.

S.B. 438, Relating to the authority of a state bank to invest in another bank or a bank holding company.

S.B. 501, Making an appropriation to the Texas Optometry Board to pay the per diem and travel expenses of board members and staff.

S.B. 510, Relating to the requirement of an annual report from the Secretary of State concerning the reporting of contributions and expenditures of political funds and activities in carrying out his duties.

S.B. 517, Relating to the powers and duties of the board of regents of Texas Tech University and the Texas Tech University Health Sciences Center to accept donations, grants, endowments, and gifts and manage certain real property.

S.B. 558, Relating to the acquisition, administration, and sale of materials and equipment by a soil and water conservation district and to certain powers and duties of the soil and water conservation districts.

S.B. 612, Relating to the administration, powers, duties, and funding of higher education authorities and to the authority of the governing body of home-rule cities to allow a nonprofit corporation to act on its behalf in certain acquisitions. (With amendment)

S.B. 619, Relating to the taxable business of a telegraph company.

S.B. 623, Relating to cemetery perpetual care trust funds. (With amendment)

S.B. 644, Relating to establishment, operation, membership, powers and duties, and financing of a juvenile board for Dallam County.

S.B. 655, Relating to administration of, contributions to, and service and benefits under, the fire fighters' relief and retirement fund.

S.B. 697, Relating to the coordinating board approval of certain construction, repair, or rehabilitation projects at institutions of higher education.

C.S.S.B. 737, Relating to the method by which the comptroller determines a tax liability. (As substituted)

S.B. 749, Relating to weight limitations for certain vehicles.

S.B. 761, Relating to conforming the Agriculture Code, Texas Education Code, Family Code, Human Resources Code, Natural Resources Code, Parks and Wildlife Code, Tax Code, Water Code, and related statutes to the laws from which those codes are derived. (With amendment)

S.B. 769, Relating to authority of the Midlothian Trade Zone Corporation to establish, operate, and maintain a foreign trade zone and other subzones at Midlothian.

S.B. 778, Relating to establishment, membership, powers and duties, personnel, and financing of a juvenile board in Sherman County.

S.B. 817, Making a supplemental appropriation to the Texas Board of Physical Therapy Examiners for necessary operating expenses.

S.B. 861, Relating to the responsibility of the Department of Human Resources to provide protective services to elderly and disabled persons.

S.B. 897, Relating to the authority of the comptroller to charge bingo licensees an audit or investigation fee.

S.B. 1004, Relating to the creation of the County Court at Law of Caldwell County.

S.B. 1050, Making an appropriation to the Texas State Board of Examiners of Psychologists for certain operating expenses.

S.B. 1110, Relating to the duties, functions, and operations of the legislative council.

S.B. 1210, Relating to establishment, staff, membership, powers and duties, financing, and operations of a juvenile board for Hartley County.

S.B. 1221, Relating to certain state purchase vouchers and invoices and to certain powers and duties of the State Purchasing and General Services Commission and of the comptroller.

S.B. 1224, Relating to establishment, personnel, compensation, powers and duties, and financing of a juvenile board in Culberson and Hudspeth counties.

S.B. 1227, Relating to the exclusion of serial and journal subscriptions for certain libraries from the requirements of the State Purchasing and General Services Act.

S.B. 1267, Relating to the establishment of a juvenile board in Bailey and Parmer counties.

S.B. 1268, Relating to the establishment of a juvenile board in Castro, Hale, and Swisher counties.

H.B. 450, Relating to the disposition of money, securities, negotiable instruments, stocks, or bonds forfeited to an agency of the state or an agency or office of a political subdivision of the state under the Texas Controlled Substances Act.

H.B. 726, Relating to the compensation of the judge of the 118th Judicial District.

H.B. 774, Relating to legislative approval for national guard armory construction and renovation projects.

H.B. 862, Relating to materials on a motor vehicle that obstruct the driver's view of the road.

H.B. 1006, Relating to election contests for the offices of State Senator and State Representative.

H.B. 1101, Relating to the qualification for a direct payment permit under the Limited Sales, Excise, and Use Tax Act.

H.B. 1141, Relating to the holding of joint elections by certain political subdivisions on the first Saturday in April.

H.B. 1245, Relating to the purchase by the Texas A&M University System of certain land in Harrison County for use by the Texas Forest Service.

H.B. 1301, Relating to the membership of the Texas Board of Private Investigators and Private Security Agencies.

H.B. 1304, Relating to the authority of certain cities concerning port and harbor improvements and facilities.

H.B. 1460, Relating to the authority of the commissioners court to set court costs in certain misdemeanor cases in certain counties.

H.B. 1554, Relating to the times for collection of certain insurance maintenance taxes.

H.B. 1601, Relating to length requirements of certain vehicles operated on public highways.

H.B. 1602, Relating to width requirements of certain vehicles operated on public highways.

H.B. 1606, Relating to a provision for payment of restitution by a person who has issued a bad check.

H.B. 1650, Relating to transactions involving crafted precious metal.

H.B. 1679, Relating to contributions to and disbursements from firemen's relief and retirement funds in certain cities.

H.B. 1686, Relating to the punishment for the offense of indecent exposure.

H.B. 1707, Relating to the terms of court in the 24th Judicial District.

H.B. 1708, Relating to the carrying of nightsticks by certain campus security personnel.

H.B. 1766, Relating to the protection by easement of certain real property having natural or historic value.

H.B. 1833, Relating to establishment of a juvenile board in Ellis County.

H.B. 1838, Relating to the validation of the incorporation of certain municipalities.

H.B. 1852, Relating to workers' compensation insurance coverage of subcontractors as defined herein.

H.B. 1877, Relating to the contents of a wine and beer retailer's permit and a retail dealer's on-premise license.

H.B. 1971, Relating to the disposition of certain hospital authority records.

H.B. 1987, Relating to the designation of issuer-registrar of certain cities.

H.B. 2106, Relating to the Second Injury Fund.

H.B. 2107, Relating to lump sum settlements in the case of death.

H.B. 2116, Relating to authorizing a school district board of trustees to adopt rules concerning a determination of residency for school admissions purposes.

H.B. 2126, Relating to the establishment of a juvenile board in Ward County.

H.B. 2159, Relating to loans, grants, or scholarships granted by the State Rural Medical Education Board.

H.B. 2183, Relating to the use of odometer readings on certificates of title and assignments of title to motor vehicles.

H.B. 2196, Relating to state employees health fitness programs.

H.B. 2226, Relating to the power of general law municipalities to annex navigable streams.

H.B. 2228, Relating to the power of the board of aldermen of a town or village to codify its ordinances.

H.B. 2245, Relating to entry of certain orders and reports in the minutes of the courts of appeals.

H.B. 2307, Relating to the jurisdiction of County Court at Law No. 1 of Montgomery County and of the County Court at Law No. 2 of Montgomery County.

H.B. 2313, Relating to establishment of a juvenile board in Denton County.

H.B. 2314, Relating to the creation of a juvenile board in Lampasas County.

H.B. 2324, Relating to the establishment of a juvenile board in Parker County.

H.B. 2325, Relating to the establishment of a juvenile board in Cooke County.

H.B. 2326, Relating to establishment of a juvenile board in Jack and Wise counties.

H.B. 2327, Relating to the creation of two county criminal courts in Tarrant County.

H.B. 2342, Relating to the composition, compensation, and powers of the Taylor County Juvenile Board, and to the juvenile court of Taylor County.

H.B. 2343, Relating to the appointment of directors of the Galveston County Water Authority.

H.B. 2345, Relating to the election and terms of office of directors of the Comanche Hills Utility District.

H.B. 2346, Relating to the election and terms of office of directors of the Bell County Water Control and Improvement District No. 3.

H.B. 2347, Relating to the election and terms of office of directors of the Bell County Water Control and Improvement District No. 1.

H.B. 2359, Relating to the election and terms of office of directors of the Bell County Control and Improvement District No. 6.

H.B. 2369, Relating to the establishment of a juvenile board in Lamb County.

H.B. 2377, Relating to the establishment of a juvenile board in the 118th Judicial District.

H.B. 137, Relating to the making and reporting of political contributions and expenditures before an election.

H.B. 340, Relating to disqualification for benefits under the Texas Unemployment Compensation Act.

H.B. 475, Permitting inspection of certain juvenile records by the Texas Department of Corrections for statistical and diagnostic purposes.

H.B. 490, Relating to subdivision controls of counties.

H.B. 785, Relating to certain fees imposed by the Texas Board of Private Investigators and Private Security Agencies.

H.B. 893, Relating to state reimbursement to a hospital for the cost of transporting an infant to the hospital under certain circumstances.

H.B. 1114, Relating to enforcement of certain vehicle weight limitations.

H.B. 1169, Relating to suits for dissolution of marriage and affecting the parent-child relationship and to orders and decrees in these suits, including the enforcement and limitations of orders and decrees.

H.B. 1658, Relating to a temporary increase of the operator's license fee to fund a study on rail passenger service.

H.B. 1731, Relating to the establishment of a Texas Trails System.

H.B. 1736, Relating to the application of the sales and use tax to fertilizer.

H.B. 2161, Relating to the requirement of permits for the transportation of water from the Edwards Underground Water District.

C.S.S.B. 179, General Appropriations Bill. (With amendments)

S.B. 346, Relating to peace officers commissioned by water control and improvement districts.

The Conference Committee Report on S.B. 1112 was adopted by a non-record vote.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Brooks and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 1390 by Parker Finance
Relating to an exemption from property taxation of the property of certain nonprofit corporations that provide housing for persons with low incomes.

S.B. 1396 by Edwards Intergovernmental Relations
Relating to establishment of a juvenile board in Navarro County.

S.B. 1397 by Truan Health and Human Resources
Relating to a child support collection service fee for Nueces County.

S.B. 1398 by Glasgow Natural Resources
Relating to the creation, administration, powers, duties, functions, operations, and financing of the Argyle Municipal Utility District.

S.B. 1399 by Truan Natural Resources
Relating to fishing license exemptions for certain persons.

S.B. 1400 by Caperton Natural Resources
Relating to creation, administration, powers, duties, operations, and financing of the Montgomery County Flood Control District; providing a civil penalty.

S.B. 1401 by Blake Administration
Relating to the provision of telecommunications service to the state government.

S.B. 1402 by Blake Intergovernmental Relations
Relating to the boundaries of the Livingston Hospital District of Polk County, Texas, and validating the district and certain actions, proceedings, and elections of that district.

S.R. 576 by Brooks Health and Human Resources
Encouraging the Texas Department on Aging to expand its efforts toward an effective statewide information and referral service through the Area Agencies on Aging.

S.C.R. 104 by Blake Administration
Creating an interim committee to be named the State Telecommunications Study Committee.

REPORTS OF STANDING COMMITTEES

Senator Santiesteban submitted the following report for the Committee on Natural Resources:

H.B. 480
H.B. 1376
H.B. 1064
H.B. 1775
H.B. 1345

S.B. 1078 (Amended)
S.B. 1117
S.B. 678
S.B. 1049
S.B. 1241 (Amended)
S.B. 1363
S.B. 1381
S.B. 1386
S.B. 1385
S.B. 1382
S.B. 1383
S.B. 1384
S.B. 1387
C.S.S.R. 413 (Read first time)
C.S.H.B. 846 (Read first time)
C.S.S.C.R. 64 (Read first time)
C.S.S.B. 592 (Read first time)
C.S.S.B. 317 (Read first time)
C.S.S.B. 1010 (Read first time)
C.S.S.B. 1209 (Read first time)
C.S.S.B. 943 (Read first time)
C.S.S.B. 1023 (Read first time)

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 1342 (Amended)
H.B. 1056
H.B. 622 (Amended)
S.R. 476
H.C.R. 97
H.B. 1438

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

S.C.R. 102
S.B. 36
S.B. 222
S.B. 234
S.B. 262
S.B. 281 (Signed subject to Art. III,
Sec. 49a of the Constitution)
S.B. 427
S.B. 460
S.B. 582
S.B. 636
S.B. 1100
H.C.R. 131
H.C.R. 151
H.C.R. 157
H.C.R. 172
H.C.R. 175
H.C.R. 176

H.C.R. 179

SENATE BILL 319 WITH HOUSE AMENDMENT

Senator McFarland called S.B. 319 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.
Committee Amendment No. 1 - Millsap

Amend S.B. 319 on page 7 by striking lines 3-7 and substituting the following:

(3) [or to] the confirmation of an appointee appointed to a first term on a date when no person related to the appointee within the prohibited degree was a member of or a candidate for the Legislature, or confirmation upon any subsequent appointment or reappointment of the appointee so long as his service as a public servant since the initial confirmation has been continuous; [to any subsequent consecutive term]

The amendment was read.

Senator McFarland moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 22, Nays 6, Present-not voting 1.

Yeas: Blake, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Uribe, Williams.

Nays: Brooks, Doggett, Mauzy, Truan, Vale, Whitmire.

Present-not voting: Brown.

Absent: Washington.

Absent-excused: Parker.

SENATE RESOLUTION 581

Senator Doggett offered the following resolution:

S.R. 581, Commending Microelectronics and Computer Technology Corporation for its dedication to preserving American leadership in the microelectronics and computer fields.

The resolution was read and was adopted.

SENATE RESOLUTION 577

Senator Lyon offered the following resolution:

WHEREAS, Located in beautiful East Texas, the city of Greenville is recognized as one of the state's outstanding cities and one of Texas' important agricultural and industrial communities; and

WHEREAS, Founded in 1847, Greenville became an incorporated town by an act of the Texas Legislature in 1852; the town was originally only one-fourth mile square, but is now composed of an area exceeding 18 square miles; and

WHEREAS, This fine city grew to be a major cotton market after the coming of the railroads in 1880, and at one time, the Greenville compress was the largest in the world; in modern times, the growth of industry in the area has been so rapid that it has surpassed agriculture as a source of income; and

WHEREAS, In addition to its significance as a center for business, this growing city is the county seat of Hunt County, and is the largest city in the county, having a population of over 22,000; and

WHEREAS, An important annual event sponsored by the Greenville Chamber of Commerce is the Arts and Crafts Cotton Pickin' Jubilee, which attracts artisans from all over the country; and

WHEREAS, It is appropriate that the Texas Senate recognize Greenville and its citizens for their contributions and accomplishments; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 68th Legislature, designate May 9, 1983, as "Greenville Day in Austin"; and, be it further

RESOLVED, That a copy of this resolution be prepared for the city of Greenville in recognition of this special occasion and as a token of highest esteem from the Texas Senate.

The resolution was read and was adopted.

SENATE RESOLUTION 578

Senator Lyon offered the following resolution:

S.R. 578, In memory of Ronald D. Baker.

The resolution was read and was adopted by a rising vote of the Senate.

SENATE RULE 74a SUSPENDED

On motion of Senator Jones and by unanimous consent, Senate Rule 74a was suspended as it relates to House amendments to **S.B. 179**.

SENATE BILL 179 WITH HOUSE AMENDMENTS

Senator Jones called **S.B. 179** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Committee substitute for **S.B. 179** was adopted by the House on May 4, 1983.

Floor Amendment No. 1 - Presnal

Amend the committee substitute for **S.B. 179** as follows:

(1) On page I-15, appropriations to the Department of Agriculture, add a new rider to read as follows:

Out of the funds appropriated to the department in item 2.e. Laboratory Services, \$70,000 in fiscal year 1984 and \$70,000 in fiscal year 1985 is appropriated for contract with the Texas System of Natural Laboratories, Inc., to provide ecology laboratories and facilities for the state's general academic institutions.

(2) On page I-83, appropriations to State Department of Highways and Public Transportation, in rider 9 strike the amount "\$3,500,000" and insert in its place the amount "\$1,000,000."

(3) On page I-96, appropriations to State Board of Insurance, add to the Schedule of Exempt Positions the following:

Chief Insurance Examiner	\$44,500	\$44,500
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(4) On page I-98, appropriations to State Board of Insurance, in rider 10 following "appropriated for the same purpose" insert the words "and for the study of the advantages and disadvantages of all forms of ratemaking."

(5) On page I-135, appropriations to Adult Probation Commission, reduce item 3.d. Restitution Centers to show the following amounts:

	1984	1985
	\$8,197,682	\$9,925,512

(6) On page II-63 and II-64, Special Provisions Relating Only to the Department of Mental Health and Mental Retardation and the Department of Human Resources, in rider Sec. 4.c.(1) following "so that they can claim federal

financial participation" delete the words "to the maximum extent possible" and insert the words "through the provisions of 1915(c), Social Security Act."

(7) On page II-64, Special Provisions Relating Only to the Department of Mental Health and Mental Retardation and the Department of Human Resources, in rider Sec. 4.c.(2) following "federal reimbursement under Title XIX of the Social Security Act" insert the words "nor exceed \$3.5 million in state expenditure over the 1984-85 biennium."

(8) On page III-36, appropriations to The University of Texas at Austin, change the method of financing to show the following amounts:

	1984	1985
General Revenue Fund	\$190,012,312	\$200,553,543
Appropriations Adjustment Factor	\$ 1,419,762	\$ 3,282,837

(9) On page III-93, appropriations to Sul Ross State University, change the amount in line-item 8.b. Chihuahuan Desert Research to \$150,000 in 1984 and \$150,000 in 1985.

(10) On page III-114, Special Provisions Relating Only to State Agencies of Higher Education, add the following rider:

It is the intent of the Legislature that General Revenue funds appropriated in this Act to institutions of higher education shall not be expended to increase the number of administrative positions funded from General Revenue sources above that number funded in fiscal year 1983 except where new programs or increased enrollment clearly justify such increases.

(11) On page V-33, add a new paragraph at the end of Sec. 7.c., to read as follows:

Pursuant to the provisions of HCR 136, Sixty-eighth Legislature, R.S., 1983, a state employee is entitled to observe the religious holidays of Rosh Hashanah and Yom Kippur, in lieu of any holiday or holidays on which the employee's agency or institution is required by this provision to be open and staffed to conduct the public business.

(12) On page V-61, Other Provisions, Sec. 74, following "shall be" delete the words "influenced or" and following "charitable organization" add "All such contributions shall be purely voluntary."

(13) Change all total, subtotals, and rider numbers as necessary.

Floor Amendment No. 2 - Coody

Amend C.S.S.B. 179 as follows:

(1) On page I-71, strike item 1, the Schedule of Exempt Positions, and the paragraph under the Texas Energy and Natural Resources Advisory Council.

(2) On page II-51, insert a new item 9.d. to read as follows and reletter subsequent sub-items accordingly:

"d. Construction of new campus perimeter fence at Gainesville State School	1,110,167	U.B."
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(3) Adjust all totals accordingly.

Floor Amendment No. 3 - Hinojosa

Amend the committee substitute for S.B. 179 as follows:

(1) On page II-50, appropriations to Department of Human Resources, in rider 58 delete the existing rider and in its place insert the following:

In the event that additional funds become available in the medical assistance program due to changes in federal law which make additional federal funds available for medical coverage of pregnant women or medically needy children or

the availability of an unexpended balance in medical assistance programs after FY 1984, it is the intent of the legislature that the Department extend medical assistance to eligible pregnant women or medically needy children. This provision is not intended to require any action which results in a reduction in the ratio of federal matching funds or requires additional state appropriations for matching funds.

Floor Amendment No. 4 - Madla/Valles

Amend the committee substitute for **S.B. 179** by adding the following rider on page II-19:

It is the intent of the Legislature that funds appropriated above in Item 8.j. Epilepsy Services shall be expended only through contract with non-profit organizations.

Floor Amendment No. 5 - Blanton

Amend **C.S.S.B. 179** on pages III-10 and III-11 by striking the last three paragraphs of rider number 8.

Floor Amendment No. 6 - Schlueter/Hilbert

Amend the committee substitute for **S.B. 179** as follows:

- (1) On page III-21, appropriations to Coordinating Board, delete rider 14.

Floor Amendment No. 7 - Green

Amend the committee substitute for **S.B. 179** as follows:

- (1) On page III-13, appropriations to Texas Central Education Agency-Programs, add a new rider to read as follows:

"It is the intent of the Legislature that the Regional Service Center serving Harris County shall begin a multiple-handicapped work-study pilot program in fiscal 1984, \$50,000 each year of the biennium shall be expended from General Revenue for this purpose from item 1. 1. above.

Floor Amendment No. 8 - Lee of Harris

Amend the committee substitute for **S.B. 179** as follows:

- (1) On page III-33, appropriations to Available University Fund, in appropriation item 2 following "physical plant operation and maintenance," insert the words "minority scholarships and recruitment".

Floor Amendment No. 9 - Sutton

Amend **C.S.S.B. 179** as follows:

On page III-106, Special Provisions Relating Only to Agencies of Higher Education by substituting the following for the last paragraph:

Public Colleges and Universities

Sec. 10 (c) Each of the general academic, medical and health science institutions (Texas Education Code 61.0003(3)(5) named in this article shall limit expenditures of estimated income received for the fiscal years ending August 31, 1984 and August 31, 1985 to a sum not to exceed the income estimated in this Act for the respective fiscal year plus \$50,000 or 20 percent of estimated income as defined herein, whichever is greater. Estimated income is that amount specified in this article for each institution as "other educational and general income" or "other education, general and patient income."

Each institution described above which has "other education, and general income" restricted may expend twenty-five (25) percent of any balance of such restricted estimated income in excess of the sum authorized above for the recruitment, retention and financial support of educationally deprived students of Texas residency at their respective institutions. Any balance of the recruitment, retention and financial support fund shall be used to establish High School and Middle School Programs for educationally deprived children and youth interested in preparation for careers in the Technological, Biological and/or Health Sciences areas.

Floor Amendment No. 10 - G. Hill, J. Gibson, Coody, W. Hall

Amend C.S.S.B. 179 by substituting the following for the indicated riders:

**SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION - Page III-112**

Sec. 22. SALARY PROVISIONS. This section shall apply to those agencies of higher education not covered by Section 1, Article V, of this Act. Funds are provided in the appropriations made to those agencies covered by this section in sufficient amounts to permit annual salary increases as follows:

(a) All employees, excluding faculty in the general academic universities; professional positions in the Texas A&M Services; and faculty and professional positions in the health science centers and other medical education programs, shall receive a minimum annual salary increase of 4.5% in fiscal 1984 and 2% in fiscal year 1985.

(b) Funds are provided in the appropriations to agencies covered in this section to permit salary increases in fiscal 1984 of 4.5% and 2% in fiscal 1985 for all employees excluded by the preceding section. Salary increases for these employees are to be awarded on the basis of merit and performance in accepted activities including teaching, research and service.

SALARY PROVISIONS - Page V-24

I. a. SALARY RATES FOR CLASSIFIED POSITIONS. For each fiscal year beginning September 1, 1983, within the limitation of funds available for salaries of classified positions, annual salary rates for classified positions shall be in accordance with the above Classification Salary Schedules. Except as specifically provided by other provisions of this Act, salaries of state employees who in August 1983 are in classified positions shall be converted to the salary schedule set forth in this Act as follows:

(1) For the fiscal year 1983-1984 the salary of an employee who in August 1983 is paid at a numbered salary step in salary groups 2 through 21, shall be converted to the salary schedule for fiscal year 1983-1984 in this Act at the same numbered salary step in the same salary group in which paid in August 1983.

(2) For the fiscal year 1984-85 the salary of an employee, who in August 1984 is paid at a numbered salary step in salary groups 2 through 21, shall be converted to the salary schedule for 1984-1985 in this Act at the same numbered salary step in the same salary group in which paid in August 1984. For fiscal year 1985 each numbered salary step shall be increased by 2% over fiscal year 1984.

Floor Amendment No. 11 - Criss

Amend C.S.S.B. 179 as follows:

On Page III-24, amend item 11 to read as follows:

11. College of the Mainland		
Academic Education	\$1,992,794	\$2,111,862

Vocational/Technical Ed.	2,429,126	2,575,015
Insurance	<u>194,040</u>	<u>235,620</u>
Total	\$4,615,960	\$4,922,497
On Page III-28, amend the Grand Total to read as follows:		
GRAND TOTAL, Public Junior		
Colleges—Academic & Vocational/Technical Programs	<u>\$428,966,600</u>	<u>\$456,808,793</u>
On Page II-51, Subsection 9(d), to read as follows:		
d. Construction of new campus		
perimeter fence at Gainesville State School	\$1,065,665	U.B.

Floor Amendment No. 12 - Presnal

Amend C.S.S.B. 179 on page V-52 by striking “any agency of the state government” in the first sentence of Section 40 and substituting “any agency of the state government (other than those included in Article VI of this Act)”.

Floor Amendment No. 13 - Messer

Amend C.S.S.B. 179 on page V-62 by inserting Section 77 after Section 76 to read as follows:

Sec. 77. (a) It is the intent of the Legislature that the state achieve a ratio of 100 full-time state employees per 10,000 population. To achieve this goal, it is recommended that a state agency with 100 or more full-time employees may replace only two out of every three full-time employees who leave employment with that agency, and a state agency with less than 100 full-time employees may not increase the number of full-time employees employed by that agency.

(b) In this section, “full-time employee” means an employee who maintains a 40-hour work week, excluding authorized vacations and leaves. A part-time employee is counted as a fractional full-time employee according to the ratio that the number of hours ordinarily worked each week bears to 40.

(c) This section does not apply to institutions of higher education, medical schools, the Texas Department of Corrections, or the Department of Public Safety.

(d) It is the intent of the Legislature that the Legislative Budget Board shall determine:

(1) the number of full-time employees employed by a state agency by determining the annual average of the number of full-time employees employed with that agency each month during each fiscal year;

(2) the average statewide turnover rate per fiscal year for all state agencies with 100 or more full-time employees; and

(3) the average turnover rate per fiscal year for each individual agency with 100 or more full-time employees.

(e) The administrative head of each agency with 100 or more full-time employees shall choose one of the turnover rates provided by Subsection (d) of this section to apply to that agency.

(f) It is the intent of the Legislature that in each fiscal year the administrative head of an agency with 100 or more full-time employees may replace its annual employee turnover by not more than two-thirds of the average turnover rate that applies to that agency. The administrative head of an agency with less than 100 full-time employees may not increase the number of full-time employees to an amount greater than that determined by the Legislative Budget Board under Subsection (d)(1) of this section.

(g) The administrative head of an agency covered by this section may apply to the Legislative Budget Board for an exemption from the requirements of this section for reasons of public necessity.

Floor Amendment No. 14 - J. Gibson

Amend the committee-substitute to **S.B. 179** as follows:

1. On page V-62, add the following rider:

Funds appropriated in this Act for Fiscal Year 1984 which are not encumbered for agency operations during that fiscal year may be retained by a state agency or institution of higher education for the purpose of providing the salary increases authorized in this Act for Fiscal Year 1985. The Comptroller of Public Accounts shall credit such amounts to the appropriations of state agencies and institutions of higher education for Fiscal Year 1985; however, these amounts shall not exceed the amount necessary to provide a two percent salary increase for each employee in Fiscal Year 1985 and may be used only to provide such a salary increase.

Floor Amendment No. 15 - Presnal

Amend **C.S.S.B. 179** on page VI-4 by striking the first unnumbered paragraph and substituting the following:

Any unexpended balances as of August 31, 1983, for the Legislative Council and the Legislative Information System Committee in the general appropriations made by the Sixty-seventh Legislature, Regular Session (House Bill No. 656), are hereby reappropriated to the Legislative Council for the same purposes for the biennium beginning September 1, 1983. Any unexpended balances as of August 31, 1983, for the Commission on Uniform State Laws in the general appropriations made by the Sixty-seventh Legislature, Regular Session (House Bill No. 656), are hereby reappropriated to the Commission on Uniform State Laws for the same purposes for the biennium beginning September 1, 1983.

Floor Amendment No. 16 - W. Hall

Amend the committee substitute for **S.B. 179** as follows:

(1) On page I-44, in appropriations to the Department of Community Affairs, amend item 4.b. Grants/Contracts to read as follows:

<u>1984</u>	<u>1985</u>
\$5,718,354	\$5,680,409

(2) On page I-44 increase the Method of Financing item (4)a. General Revenue Fund by \$227,914 in fiscal year 1984 and \$189,969 in fiscal year 1985.

(3) On page I-45 add the following rider:

Funds appropriated above in item 4.b. Drug Abuse Grants/Contracts include \$227,914 for fiscal year 1984 and \$189,969 for fiscal year 1985 to be allocated by grant or contract to the Laredo State Center for Human Development for the provision of drug abuse services.

(4) On page II-28, in appropriations to the State Centers for Human Development (TDMHMR), amend item 3. Client Services Program to read as follows:

<u>1984</u>	<u>1985</u>
\$17,327,418	\$17,299,948

(5) On page II-28 increase the Method of Financing by the following amounts:

	<u>1984</u>	<u>1985</u>
Interagency Contracts, estimated	\$227,914	\$189,969
Departmental Revenue, estimated	\$ 25,000	\$ 50,000

(6) On page II-28 amend the amount enumerated for Laredo State Center for Human Development to read as follows:

- | | | |
|--|-------------|-------------|
| | 1984 | 1985 |
| | \$2,957,963 | \$2,642,988 |
- (7) On page II-11, appropriations to Commission for the Deaf reduce rider provision 5. to show the following amounts:
- | | | |
|--|-----------|-----------|
| | 1984 | 1985 |
| | \$123,114 | \$240,668 |
- (8) On page I-135, appropriations to Adult Probation Commission reduce item 3.d., Restitution Centers by the following amounts:
- | | | |
|--|-----------|-----------|
| | \$114,614 | \$189,969 |
|--|-----------|-----------|
- (9) Change all totals and subtotals as necessary.

Floor Amendment No. 17 - Presnal

Amend the committee substitute for **S.B. 179** as follows:

- (1) On page I-125, appropriations to Parks and Wildlife Department, amend the Schedule of Exempt Positions to add U.L. to the following:
- Captain Game Warden, U.L.
 - Lieutenant Game Warden, U.L.
 - Sergeant Game Warden, U.L.
 - Game Warden III, U.L.
 - Game Warden II, U.L.
 - Game Warden I, U.L.
- (2) Change all subtotals and totals as necessary.

Floor Amendment No. 18 - Rudd

On page I-55, APPROPRIATIONS TO TEXAS DEPARTMENT OF CORRECTIONS: delete the existing language and substitute the following: 11. Wardens, The Director of Classifications, The Chief of Food Services, Assistant Directors, The Administrative Assistant to The Director, The Medical Director, Psychiatrists, Physicians, The Supervisor Anesthetist, Dentist III's, Dentist II's, and Dentists.

Floor Amendment No. 19 - Emmett

Amend the committee substitute for **S.B. 179** as follows:

- (1) On page I-87, appropriations to Texas Historical Commission, add the following positions to the list of classified positions:
- 0334 Photocomposer III
 - 0361 Photographer I
 - 1862 Information Specialist I
 - 2253 Architect Assistant II
 - 2256 Architect I
 - 0515 Planning Assistant
- (2) Change all subtotals and totals as necessary.

Floor Amendment No. 20 - Messer

Amend **C.S.S.B. 179** on page I-138 by inserting the following after the paragraph on the bottom of the page:

"It is the intent of the Legislature that not more than two percent of the funds appropriated under item 2., State Aid, may be used each year by the commission for purposes of training, auditing, and technical assistance."

Floor Amendment No. 21 - M. Garcia

Amend the committee substitute for **S.B. 179** as follows:

- (1) On page I-75, appropriations to Office of the Governor, strike line-items 9.a., 9.b., 9.c., 9.d., and 9.e., and insert in lieu thereof for line-item 9. Criminal

Justice Planning Division the amounts of \$20,722,950 in 1984 and \$20,790,738 in 1985.

Floor Amendment No. 22 - M. Garcia

Amend the committee substitute for S.B. 179 as follows:

(1) On page V-62, Article V, General Provisions, add a new rider to read as follows:

An agency, institution, department, commission, board or other unit of state government accepting bids for contractual services shall award such contract to the lowest qualified bidder.

Floor Amendment No. 23 - Uher

Amend C.S.S.B. 179 by changing the figure \$100 to \$45, line item 1, on page I-117 under Board of Vocational Nurse Examiners, Administration, Licensing and Enforcement.

Floor Amendment No. 24 - D. Hudson

Amend the committee substitute for S.B. 179 as follows:

(1) On page III-29, appropriations to Public Junior Colleges, amend rider 4f to read as follows: "File by December 1, of the fiscal year, with the Coordinating Board, Education Agency, Legislative Budget Board, and the Legislative Reference Library a copy of an annual operating budget, and subsequent amendments thereto, approved by the Junior Colleges Governing Board. Said operating budget shall be in such form and manner as may be prescribed by said board and/or agency with the advice of the state auditor, providing, however, that such report include departmental operating budgets by function and salaries and emoluments for faculty and staff listed by position".

Floor Amendment No. 25 - Keller

Amend the committee substitute for S.B. 179 as follows:

(1) On page II-10, appropriations to Commission for the Deaf, increase item 5.c., Services to the Deaf/Blind to show the following amounts:

1984	1985
\$196,000	\$498,831

(2) On page I-135, appropriations to Adult Probation Commission, reduce item 3.d., Restitution Centers to show the following amounts:

1984	1985
\$8,084,382	\$9,432,612

(3) Change all totals and subtotals as necessary.

Floor Amendment No. 26 - L. Evans

Amend C.S.S.B. 179 at page II-35, Department of Human Resources, by adding a new item i.c. to read as follows:

"i.c. In addition to funds appropriated elsewhere in this Act for the payment of AFDC benefits and Medicaid benefits, there is hereby appropriated the following amounts out of the General Revenue Fund which, along with federal funds, will increase the average monthly AFDC payment to \$48 and will provide the necessary additional Medicaid costs."

\$_____ \$_____

Such funds are to be financed by decreasing the following specific line items in the following amounts:

<u>Page No.</u>	<u>Line</u>		
I-145	A	State Purchasing and General Service-Parking Garage	15.2
I-145	Rider 10	State Purchasing and General Services Unobligated Balances	18.4

Floor Amendment No. 27 - Presnal

Amend S.B. 179 as follows:

1. On page I-75, line 6 by inserting “, estimated” between Budget and period.
2. On page I-75, line 9 by inserting “, estimated” between Entities and period.

Floor Amendment No. 28 - Rudd

On Page I-55, APPROPRIATIONS TO TEXAS DEPARTMENT OF CORRECTIONS: delete the existing language and substitute the following:

11. Wardens, The Director of Classifications, The Chief of Food Services, Assistant Directors, The Administrative Assistant to The Director, The Medical Director, Psychiatrists, Physicians, The Supervisor Anesthetist, Dentist III's, Dentist II's, and Dentists shall be entitled to emoluments.

The amendments were read.

Senator Jones moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S.B. 179 before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Jones, Chairman; Brooks, Farabee, Traeger and Howard.

SENATE BILL 122 WITH HOUSE AMENDMENT

Senator Caperton called S.B. 122 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.
Committee Amendment No. 1 - Gandy

Substitute the following for S.B. 122:

**A BILL TO BE ENTITLED
AN ACT**

relating to the declination of a political party's nomination.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections (a) and (b), Section 233, Texas Election Code (Article 13.56, Vernon's Texas Election Code), are amended to read as follows:

(a) A nominee of a political party may decline and annul his nomination by delivering to the officer with whom the certificate of his nomination is filed and to the chairman of the executive committee having the power to fill a vacancy in such nomination[~~not later than the 45th day before the day of the general election;~~] a declaration in writing, signed by him and acknowledged before some officer

authorized to take acknowledgments. If the declination occurs on or before the 65th day before general election day, ~~[whereupon]~~ the officer receiving the declaration shall take the necessary action to have the name of the nominee removed from the ballot. ~~[A nominee may not decline the nomination after the 45th day before election day.]~~

(b) If on or before the 65th ~~[45th]~~ day before the day of the election, a nominee dies, ~~[or]~~ declines the nomination as provided by this subsection, or is declared ineligible to be elected to or to hold the office for which he is a candidate, the executive committee of the party for the state, district, county, or precinct, as the office to be nominated may require, may nominate a candidate to supply the vacancy. An executive committee may not make a substitute nomination after a declination unless the nominee declines the nomination because of a catastrophic illness, the diagnosis of which occurred after the 65th day before general primary election day, that would incapacitate the nominee permanently and continuously to prevent him from performing the duties of the office sought and the nominee files with the declaration required by Subsection (a) of this section a certificate describing the illness signed by at least two licensed physicians. The secretary of state shall prescribe the form of the certificate. A certificate of the substitute [such] nomination, signed and duly acknowledged by the chairman of the executive committee, must be filed with the officer with whom the certificate of the original nomination was filed and must set forth the name of the original nominee, the cause of the vacancy, the name of the new nominee, the office for which he was nominated, and when, where, by whom, and how he was nominated. The certificate must be filed not later than the 60th ~~[40th]~~ day before the day of the election. The officer with whom the substitute nomination is filed shall immediately take the necessary action to cause the name of the new nominee to be placed on the ballot.

SECTION 2. Section 104(a), Texas Election Code (Article 8.22, Vernon's Texas Election Code), is amended to read as follows:

(a) When the name of a deceased or ineligible candidate or of a candidate who has declined a nomination is printed on the ballot for a general or special election, as provided in Section 233 of this code (Article 13.56, Vernon's Texas Election Code), the votes cast for him shall be counted and return made thereof; and if he receives a plurality of the votes cast for the office where a plurality is sufficient for election, or if he receives a majority of the votes cast for the office where a majority is required for election, the vacancy shall be filled as in the case of a vacancy occurring after the election. If he is one of the two highest candidates in an election where a majority is required and no one has a majority, the two candidates with the highest votes other than the deceased or ineligible candidate shall be certified as the two highest candidates for the runoff election.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The amendment was read.

Senator Caperton moved to concur in the House amendment.

The motion prevailed.

RECORD OF VOTES

Senators Henderson and Brown asked to be recorded as voting "Nay" on the motion to concur in the House amendment.

SENATE BILL 341 WITH HOUSE AMENDMENTS

Senator Caperton called **S.B. 341** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Committee Amendment No. 1 - Presnal

Substitute the following for **S.B. 341**:

**A BILL TO BE ENTITLED
AN ACT**

directing and authorizing the Board of Regents, Texas State University System, to replace and repair fire damaged structures and sites at Sam Houston State University and appropriating funds for such projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The Board of Regents, Texas State University System is directed to undertake projects for the replacement and repair of fire damaged structures and sites at Sam Houston State University, and the Board of Regents is authorized to commence and complete such projects without the further approval or permission of any state board, committee, or agency.

SECTION 2. To assist the Board of Regents in the completion of the projects required by Section 1, the following amounts are appropriated from the general revenue fund to Sam Houston State University.

(1) \$2,529,712 to repair damage to the Austin College Building caused by a fire on February 12, 1982.

(2) \$2,895,020 for construction of classrooms and offices to replace space lost in the destruction of the Old Main Building by fire on February 12, 1982.

(3) \$925,000 for the cleanup of the Old Main Building site and for the construction of a memorial on such site to commemorate the significance of the Old Main Building in the history of Sam Houston State University and the State of Texas.

A project shall not be initiated until the Board of Regents has determined that there are sufficient funds available to complete the project. To facilitate completion of these projects monies appropriated above may be transferred between the projects.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Floor Amendment No. 1 - Emmett

Amend **C.S.S.B. 341**, on page 1, line 11, by inserting a period after "projects" and striking all of Section 1 that follows.

The amendments were read.

Senator Caperton moved to concur in the House amendments.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

SENATE RULE 103 SUSPENDED

On motion of Senator Farabee and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on State Affairs might consider **H.B. 1861** at 2:30 o'clock p.m. today.

SENATE BILL 244 WITH HOUSE AMENDMENTS

Senator Washington called **S.B. 244** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.
Floor Amendment No. 1 - Schlueter

Amend **S.B. 244** on page 3 by striking lines 8 through 13 and substituting the following:

"(6) provisions specifying the types of financial institutions eligible for the deposit of the funds, the types of organizations and programs eligible to receive funds from the nonprofit corporation, except that a person who is required to register as a lobbyist under Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes), is not eligible to receive funds from the nonprofit corporation, and the persons and types of matters and cases eligible to receive legal services funded by grants from the nonprofit corporation; and"

Floor Amendment No. 2 - Rudd

Amend **S.B. 244** as follows:

(1) On page 3, strike lines 6 and 7, and renumber Subdivisions (6) and (7) as (5) and (6).

(2) On page 5, lines 24 and 26, strike the word "shall" and substitute the word "may".

(3) On page 6, line 18, strike the word "required" and substitute the word "permitted".

(4) On page 6, line 18, strike the word "shall" and substitute the word "must".

Floor Amendment No. 3 - Rudd

Amend **S.B. 244** on page 3 by adding a new subsection appropriately numbered:

"(6) provisions specifying the types of financial institutions eligible for the deposit of the funds, the types of organizations and programs eligible to receive funds from the nonprofit corporation, except that a legal aid society is not eligible to receive funds from the nonprofit corporation, and the persons and types of matters and cases eligible to receive legal services funded by grants from the nonprofit corporation; and"

Floor Amendment No. 4 - Emmett

Amend **S.B. 244** on p.4, lines 12-15 by striking:

"Appointments to the council shall be made with due regard to the race, creed, sex, religion and national origin of the appointees and geographical representation of the members of the council."

And substituting the following:

"Appointments to the council shall be made without regard to the race, creed, sex, religion or national origin of the appointees."

The amendments were read.

Senator Washington moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

RECORD OF VOTE

Senator Henderson asked to be recorded as voting "Nay" on the motion to not concur.

The President asked if there were any motions to instruct the Conference Committee on **S.B. 244** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Washington, Chairman; Mauzy, Doggett, Vale and McFarland.

SENATE BILL 1066 ON THIRD READING

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

S.B. 1066, Relating to credit earned by a prisoner toward reduction of a sentence.

The bill was read third time and was finally passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

HOUSE BILL 1121 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1121, Relating to the tabulation of unofficial returns in certain races by the secretary of state and to the time for convening political party precinct conventions.

The bill was read second time.

Senator Brown offered the following committee amendment to the bill:

Amend **H.B. 1121** as follows:

1. On page 3, strike lines 13 through 18 and substitute the following:

(d) For monitoring the tabulations, the secretary shall provide without charge a display terminal to the governor, lieutenant governor, and speaker of the house of representatives in their capitol offices. The news media may not have access to data from these locations.

2. On page 5, lines 3 through 5, delete "entities of the legislative branch of state government specified by the lieutenant governor or speaker of the house of representatives,"

The committee amendment was read and was adopted.

On motion of Senator Brown and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

HOUSE BILL 1121 ON THIRD READING

Senator Brown moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 1121** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

HOUSE BILL 164 ON SECOND READING

On motion of Senator Lyon and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 164, Relating to the civil jurisdiction of county courts and justice courts.

The bill was read second time and was passed to third reading.

HOUSE BILL 164 ON THIRD READING

Senator Lyon moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 164** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 1321 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1321, Relating to regulation of business opportunity sales; amending the Business Opportunity Act (Article 5069-16.01 et seq., Revised Statutes) by amending Subdivision (2), Article 16.05; Article 16.06; Subsection (a), Article 16.08; and Article 16.14.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1321 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1321** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

COMMITTEE SUBSTITUTE SENATE BILL 477 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 477, Relating to the regulation of Marriage and Family Counselors; amending Chapter 775, Acts 67th Legislature Regular Session, 1981 (Art. 4512g, V.T.C.S.); and creating penalties.

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Floor Amendment No. 1

Amend the committee substitute for **S.B. 477** by renumbering Section 8 of the bill beginning on page 5 line 63 to be Section 9 and inserting immediately preceding such renumbered Section a new Section 8 to read as follows:

“Use of Revenue From Fees”

“Section 8. Fees. For the biennium ending August 31, 1985, the funds received from the application, examination and license fees in connection with the licensing of Licensed Professional Marriage and Family Counselors are appropriated to the Department of Health to be expended by it in the administration of this Act. The salaries and reimbursements paid by the Department of Health shall be comparable to those prescribed in the general appropriations act for persons holding comparable positions. To the extent applicable, the general rules of the general appropriations act apply to the expenditure of funds under this section. The board and department may apply the funds covered by this section to replenish other budget items to the extent funds were directed therefrom to facilitate licensing Professional Marriage and Family Counselors before fees were available to do so.

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Floor Amendment No. 2

Amend the Committee Substitute for **S.B. 477** by adding between “(2)” and “is” on page 4 line 15 the following:

“holds a masters or doctorate degree with a focus in marriage and family counseling or therapy, has at least two years of experience in marriage and family counseling or therapy subsequent thereto, and”

The amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Henderson, Harris and Leedom asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 477 ON THIRD READING

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 477 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Howard, Jones, Kothmann, Lyon, Mauzy, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Blake, Harris, Henderson, Leedom, Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4.

Yeas: Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Howard, Jones, Kothmann, Lyon, Mauzy, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Nays: Blake, Harris, Henderson, Leedom.

Absent-excused: Parker.

COMMITTEE SUBSTITUTE SENATE BILL 117 ON SECOND READING

Senator Doggett moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 117, Relating to procedures for the administration and disbursement of block grant funds.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Blake, Brooks, Caperton, Doggett, Edwards, Farabee, Howard, Kothmann, Lyon, Mauzy, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Nays: Brown, Glasgow, Harris, Henderson, Jones, Leedom.

Absent-excused: Parker.

The bill was read second time.

Senator Doggett offered the following amendment to the bill:

Amend **C.S.S.B. 117** as follows:

1. Insert the following after the word "agencies," on page 1, line 41:

"private new community developers or non-profit community associations within any community originally established as a new community development program pursuant to the Urban Growth and New Community Development Act of 1970, 42 U.S.C. Sections 4511-4532,"

2. Strike Subsection (j) of SECTION 4 and substitute the following:

"(j) Notices prepared under Subsections (c) and (d) of this section must be printed in both English and Spanish."

3. Strike the words "in each of the agency's regions" on page 2, line 35 and on page 2, lines 38 through 39.

4. Insert the following as Subsection (d) of SECTION 5 on page 2 between lines 43 and 44, and reletter subsequent subsections:

“(d) An agency that has approval authority over the allocation of more than \$10,000,000 in block grant funds to be allocated in any year in a discretionary manner other than by an objective formula mandated by federal law shall provide that the consultation required by Subsections (c) and (d) of this section must occur in each of the agency’s regions.”

5. Insert the following after the word “entity.” on page 2, line 53:

“However, the entity may hold the meeting or hearing in conjunction with another meeting or hearing of the entity, if the meeting or hearing to consider block grant funds is clearly noted in any announcement of the other meeting or hearing.”

6. Insert the following after the word “section” on page 2, line 64:

“, except under Subsection (h) of this section,”

7. Strike the second sentence of SECTION 7, Subsection (a), beginning on page 3, line 23, and substitute the following:

“However, the exceptions provided by Subsection (b) of Section 21 of that Act apply to hearings under this section. The Texas Department of Human Resources shall develop procedures for conducting fair hearings under this section.”

8. Strike the words “designated by the governor to receive” on page 3, line 30, and insert the words “administering the”

9. Insert the following on page 4, line 18, after the word “entity”:

“that alleges that the nonrenewal of the contract or the reduction of funding was in violation of the rules issued under Subsection (c) of this section or was discriminatory or without reasonable basis in law or fact”

10. Insert the following on page 4 between lines 28 and 29:

“(h) If an entity requests an administrative hearing under this section, the agency may enter into an interim contract with the entity or another entity to provide the service formerly provided by the entity while any administrative or judicial proceedings are pending.”

11. Strike SECTION 11 and substitute the following:

“SECTION 11. JUDICIAL REVIEW. A party to a hearing conducted under Section 7, 8, or 9 of this Act who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case under Sections 13 through 17 of the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon’s Texas Civil Statutes) may seek judicial review of the agency’s action as provided by Section 19 of that Act.”

The amendment was read and was adopted.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTE

Senator Glasgow asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE SENATE BILL 117 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 117** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 22, Nays 8. (Not receiving four-fifths vote of the Members present)

Yeas: Blake, Brooks, Caperton, Doggett, Edwards, Farabee, Howard, Kothmann, Lyon, Mauzy, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Brown, Glasgow, Harris, Henderson, Jones, Leedom, Sims, Washington.

Absent-excused: Parker.

COMMITTEE SUBSTITUTE SENATE BILL 1362 ON SECOND READING

On motion of Senator Vale and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1362, Relating to the regulation of ambulatory surgical centers; providing penalties.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1362 ON THIRD READING

Senator Vale moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1362** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 900 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 900, Relating to exemptions from tuition and fees and provision of stipends for certain teachers training in secondary science or mathematics education and placing certain obligations on persons accepting the benefits; adding Section 54.211 to the Texas Education Code.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 900 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 900** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

SENATE BILL 771 ON SECOND READING

On motion of Senator Parmer and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 771, Relating to registration of members of the legislature who represent other persons before state agencies; providing a penalty.

The bill was read second time.

Senator McFarland offered the following amendment to the bill:

Floor Amendment No. 1

Amend **S.B. 771** by striking subsections (b), (c), and (d) thereof and substituting the following:

“(b) A member of the legislature who represents a person for compensation before a state agency, except filings with the office of the Secretary of State or the Comptroller of Public Accounts, shall file with such agency a statement, in form prescribed by the Secretary of State, not later than the fifth day after the date of the initial contact with the agency, stating the name of the person represented by the member, the subject matter of the representation, and the agency involved. If submitted by mail, the statement shall be deemed filed when mailed. The agency with which such statement is filed shall submit a copy thereof to the Secretary of State with the report required by Subsection (a) of this Section. Such statements shall be available for public inspection during regular business hours.

“(c) A member of the legislature commits an offense if the member represents a person before a state agency for compensation and fails to file the statement required by Subsection (b) of this section.

“(d) An offense under this section is a Class C misdemeanor.”

The amendment was read.

Senator Lyon offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Floor Amendment No. 1 to **S.B. 771** by McFarland by inserting on page one line 4 after the word “Accounts,” the following:

“or any state agency whose decisions are appealable to a trial court for a trial de novo,”

The amendment to Floor Amendment No. 1 was read and was adopted.

Question recurring on adoption of Floor Amendment No. 1 as amended, Floor Amendment No. 1 as amended was adopted.

On motion of Senator Parmer and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 771 ON THIRD READING

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 771 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 198 ON SECOND READING

On motion of Senator Santiesteban and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 198, Relating to tax credits for corporations engaged in the business of manufacturing, selling, or installing solar energy devices.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 198 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 198 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1, Present-not voting 1.

Nays: Washington.

Present-not voting: Leedom.

Absent-excused: Parker.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Leedom asked to be recorded as "Present-not voting" on the final passage of the bill.

FLOOR PRIVILEGES GRANTED

On motion of Senator Traeger and by unanimous consent, privileges of the floor were granted to Susan K. Steeg, Attorney, Texas Department of Health, in order that she might sit at Senator Traeger's desk during discussion of C.S.S.B. 378.

COMMITTEE SUBSTITUTE SENATE BILL 378 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 378, Relating to municipal solid waste management and resource recovery.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 378 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 378 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

SENATE BILL 532 ON SECOND READING

Senator Glasgow asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 532, Relating to the calculation of the capital assets for franchise tax purposes of a corporation that owns an interest in a Texas subsidiary corporation.

There was objection.

Senator Glasgow then moved to suspend the regular order of business and take up **S.B. 532** for consideration at this time.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Henderson, Kothmann, Leedom, Lyon, McFarland, Montford, Parmer, Sarpalius, Sharp, Traeger, Truan, Washington, Whitmire, Williams.

Nays: Blake, Doggett, Harris, Howard, Jones, Mauzy, Santiesteban, Sims, Uribe, Vale.

Absent-excused: Parker.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Jones asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 982 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 982, Relating to administrative review of property tax determinations.

The bill was read second time.

Senator Jones offered the following amendment to the bill:

Amend **S.B. 982** by deleting Section 7 and inserting the following in lieu thereof:

SECTION 7. (a) Except as provided by Subsection (b) of this section, this Act takes effect January 1, 1986.

(b) To prepare for appeals to the Property Tax Appeals Commission in 1986, Section 1 of this Act takes effect September 1, 1985. In making the initial appointments, the governor shall designate one member for a term expiring March 1, 1987, one member for a term expiring March 1, 1989, and one member for a term

expiring March 1, 1991. The Commission shall prescribe forms under Section 5.34, Tax Code, and shall adopt all rules required under Chapter 42, Tax Code, before May 1, 1986.

The amendment was read and was adopted.

On motion of Senator Jones and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 982 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 982** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 1091 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1091, Relating to the electronic transfer of funds from the accounts of customers at certain financial institutions to the accounts of merchants at the same or different financial institution; providing for compliance; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1091 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1091** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 813 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 813, Relating to the licensing and regulation of speech-language pathologists and audiologists; providing penalties; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 813 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 813 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed.

SENATE BILL 1119 ON SECOND READING

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1119, Relating to preservation of the view of the State Capitol.

The bill was read second time and was passed to engrossment.

MOTION TO PLACE SENATE BILL 1119 ON THIRD READING

Senator Vale moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1119** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 15, Nays 15. (Not receiving four-fifths vote of the Members present)

Yeas: Brooks, Caperton, Glasgow, Henderson, Kothmann, Lyon, Mauzy, McFarland, Parmer, Sharp, Traeger, Truan, Washington, Whitmire, Williams.

Nays: Blake, Brown, Doggett, Edwards, Farabee, Harris, Howard, Jones, Leedom, Montford, Santiesteban, Sarpalius, Sims, Uribe, Vale.

Absent-excused: Parker.

The President announced he would vote "Aye" on the motion.

**CONFERENCE COMMITTEE REPORT
SENATE BILL 1112**

Senator Sharp submitted the following Conference Committee Report:

Austin, Texas
May 3, 1983

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on **S.B. 1112** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text thereto attached.

SHARP
TRAEGER

SAUNDERS
ARMBRISTER

PARMER
WHITMIRE
MONTFORD
On part of the Senate

PRICE
GANDY
On the part of the House

**A BILL TO BE ENTITLED
AN ACT**

relating to the distribution to political subdivisions and use of money received from the use and development of federal public land; giving the comptroller of public accounts certain responsibilities and duties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

- (1) "Comptroller" means the comptroller of public accounts.
- (2) "Fund" means the federal resource receipts distribution fund.
- (3) "Eligible county" means a county in which is located federal public land for which the state receives a portion of the money from sales, bonuses, royalties, or rentals under Section 191 or Section 355, Title 30, United States Code.

SECTION 2. FEDERAL RESOURCE RECEIPTS DISTRIBUTION FUND. (a) The federal resource receipts distribution fund is created in the State Treasury.

(b) Money received by the state under Section 191 or Section 355, Title 30, United States Code, shall be deposited in the fund.

(c) Money in the fund shall be distributed by the comptroller to each eligible county in the amount, in the manner, and for the purposes provided by federal law and this Act.

SECTION 3. AMOUNT OF DISTRIBUTION. An eligible county is entitled to receive from the fund all of the money paid to the state and deposited in the fund from all sales, bonuses, royalties, and rentals received from federal public land located in that county.

SECTION 4. METHOD OF DISTRIBUTION. (a) Not later than the 10th day after the day it receives a payment from the comptroller, a county shall distribute the payment in accordance with this section.

(b) Of the comptroller's payment to the county:

(1) 50 percent of the payment is available for distribution to the independent school districts located in whole or part in the county with each school district receiving a proportionate share in accordance with Subsection (c) of this section;

(2) 15 percent of the payment is available for distribution to the incorporated cities located in whole or part in the county with each city receiving a proportionate share in accordance with Subsection (d) of this section; and

(3) 35 percent of the payment is available for retention by the county.

(c) The proportionate share of an independent school district located in whole or part in the county is determined by multiplying the total amount of the payment available for the county's distribution to independent school districts by the ratio that the average daily attendance for students who reside in the county and who attend that school district bears to the average daily attendance for all students who reside in the county and who attend any independent school district. However, if there are fewer than 10 independent school districts located in whole or part in the county and if an independent school district would receive under this formula less than 10 percent of the total payment available for distribution to independent school districts, the school district's share shall be increased to 10 percent of the total payment and the shares of the school districts that would receive more than 10 percent under the formula shall be reduced proportionately, but not to an amount less than 10 percent of the total payment. Each independent school district shall develop a reasonable method for determining the average daily attendance for students who reside in the county and who attend the school district.

(d) The proportionate share of a city located in whole or part in the county is determined by multiplying the total payment available for the county's distribution to cities by the ratio that the number of residents of that city who live in the county bears to the total number of residents of all cities who live in the county. The number of residents shall be determined according to the most recent federal census.

SECTION 5. PURPOSES FOR WHICH MONEY MAY BE SPENT. The money from the fund may be used only for:

- (1) planning;
- (2) construction and maintenance of public facilities; and
- (3) provision of public service.

SECTION 6. ADMINISTRATION. (a) The comptroller shall administer this Act and shall distribute money from the fund to eligible counties as provided by this Act and rules adopted under this Act.

(b) The comptroller shall adopt rules establishing:

- (1) procedures for determining eligible counties and the amounts of money to be distributed from the fund to each of those eligible counties;
- (2) methods for monitoring the uses and expenditures of money distributed from the fund to each eligible county, independent school district, and incorporated city; and

(3) any other methods and procedures necessary to carry out this Act and any federal laws and rules governing the money distributed.

SECTION 7. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was filed with the Secretary of the Senate.

SENATE RULE 103 SUSPENDED

On motion of Senator Jones and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Finance might consider **H.B. 534** at 2:00 o'clock p.m. today.

MEMORIAL RESOLUTIONS

S.R. 579 - By Brooks: Memorial resolution for Dr. Charles D. Mickey.

S.R. 580 - By Brooks: Memorial resolution for John De Vries.

CONGRATULATORY RESOLUTIONS

S.C.R. 103 - By Brooks: Extending congratulations to the participants and supporters of the Second Annual Texas Senior Games.

ADJOURNMENT

On motion of Senator Mauzy, the Senate at 12:40 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

Signed by Governor

(May 4, 1983)

H.C.R. 164

H.C.R. 167

H.C.R. 168
H.C.R. 169
H.C.R. 199
H.C.R. 200
H.C.R. 201
H.C.R. 202
H.C.R. 203
H.C.R. 204
H.C.R. 205
H.C.R. 206
H.C.R. 207
H.C.R. 208
H.C.R. 209
H.C.R. 210
H.C.R. 211
H.C.R. 212
S.C.R. 74
S.C.R. 55
S.C.R. 43
S.C.R. 19
S.C.R. 4
S.C.R. 94
S.C.R. 90
S.C.R. 91
S.C.R. 60
S.C.R. 20
S.J.R. 12 (Effective November 8, 1983)

Filed Without Signature of Governor

(May 5, 1983)

S.C.R. 30

Signed by Governor

(May 5, 1983)

S.B. 203 (Effective August 29, 1983)

Sent to Comptroller

(May 6, 1983)

S.B. 442

S.B. 466

S.B. 469

S.B. 670

Sent to Governor

(May 9, 1983)

S.J.R. 14

S.J.R. 17

S.B. 67

S.B. 99

S.B. 108

S.B. 261

S.B. 408

S.B. 433

S.B. 439